

David C. Lewis, OSB No. 953348
E-mail: dlewis@cisoregon.org
Lauren E. Nweze, OSB No. 145218
E-mail: lnweze@cisoregon.org
KRAEMER & LEWIS
P.O. Box 1469
Lake Oswego, OR 97035
Telephone: (503)763-3875
Facsimile: (503) 763-3901

Of Attorneys for Defendants Columbia County,
Butch Guess, David Peabody, Shawn McQuiddy
and Brian Pixley

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

MISTY FOX, an individual,

Plaintiff,

No. 3:20-cv-1154-HZ

v.

OFFER OF JUDGMENT

COLUMBIA COUNTY, a political
subdivision of the state of Oregon, **TCB
SECURITY SERVICES,
INCORPORATED**, an Oregon domestic
corporation, **BUTCH GUESS**, an individual,
DAVID PEABODY, in his official and
individual capacities, **SHAWN MCQUIDDY**,
in his individual and official capacities,
BRIAN PIXLEY, in his official and
individual capacities,

Defendants.

Pursuant to Fed. R. Civ. P. 68, and subject to the conditions expressed below, Defendants
Columbia County, Butch Guess, David Peabody, Shaun McQuiddy and Brian Pixley hereby offer to

allow judgment to be entered against them in the amount of \$25,100.00, plus costs and reasonable attorney fees incurred to the date of this Offer, in an amount to be determined by the court if counsel cannot reach mutual agreement.

Underlying condition: on the same day that this Offer is accepted, Plaintiff will voluntarily dismiss all claims against Defendant TCB Security Services, Incorporated, with prejudice and without costs or attorney fees and will thereby agree not to pursue any further claims against any other person or entity related to the events at issue in this lawsuit.

This Offer is made for the purposes specified in Fed. R. Civ. P. 68 and is not to be construed as an admission of liability or fault by the Defendants. The purpose of this Offer is to resolve all of Plaintiff's claims against any and all Defendants without the need for further litigation.

To accept this Offer, Plaintiff must serve written notice of acceptance within fourteen (14) days of the date this offer is made.

DATED this 9th day of February 2021.

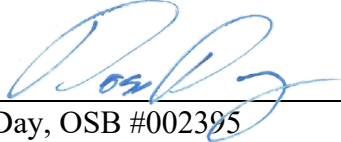
KRAEMER & LEWIS

By: s/ David C. Lewis

David C. Lewis, OSB No. 953348
Lauren E. Nweze, OSB No. 145218
Of Attorneys for Defendants Columbia
County, Butch Guess, David Peabody,
Shawn McQuiddy and Brian Pixley

Defendants' Offer of Judgment is hereby accepted by plaintiff.

DAY LAW, P.C.



Ross Day, OSB #002395
ross@daylawpc.com
Day Law, P.C.
P.O. Box 30148
Portland, Oregon 97294
T:(503) 747-2705
Attorney for Plaintiff

DATED: February 9th, 2021

CERTIFICATE OF SERVICE

I hereby certify that on the 9th day of February 2021, I served the foregoing **OFFER OF JUDGMENT**, on the following parties at the following addresses:

Ross Day
ross@daylawpc.com
Day Law, P.C.
P.O. Box 30148
Portland, Oregon 97294
Attorney for Plaintiff

Christopher E. Hawk
chawk@grsm.com
Noah H. Morss
nmorss@grsm.com
Gordon Rees
1300 SW Fifth Ave., Ste. 2000
Portland, OR 97201
Attorney for Defendant TCB Security

by emailing to them at the email addresses above and mailing to them a true and correct copy thereof, certified by me as such, placed in a sealed envelope addressed to them at the addresses set forth above, and deposited in the U.S. Post Office at Portland, Oregon on said day with postage prepaid.

s/ David C. Lewis

David C. Lewis, OSB No. 953348
Of Attorneys for Defendants Columbia County,
Butch Guess, David Peabody, Shawn
McQuiddy and Brian Pixley